

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JEREMY DE LOS SANTOS, and
JOSHUA DE LOS SANTOS,

Plaintiffs,

v.

CV 12-0375 WPL/GBW

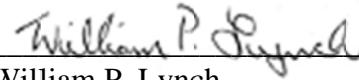
CITY OF ROSWELL, NEW MEXICO, et al.,

Defendants.

ORDER

This matter is before me on Jeremy De Los Santos' Motion to Prohibit City Defendants from Asserting the Defense of Advice of Counsel or, in the Alternative, for Reconsideration of Plaintiff's Motion to Compel. (Doc. 127.) While Defendants have not yet had the opportunity to file a response, I do not need to hear their arguments in order to rule on this matter. Having considered the relevant law, facts, arguments raised in this motion, and prior rulings of this Court, I deny the motion as frivolous. Further, should De Los Santos ultimately prevail in this matter, his attorney may not seek fees and costs associated with bringing this motion.

IT IS SO ORDERED.



William P. Lynch
United States Magistrate Judge